

**Governor's Commission on Minority and Women's Business Enterprises**  
**Monday, June 9, 2008**  
**MINUTES**

The Governor's Commission on Minority and Women's Business Enterprises met on June 9 at 1:00 pm in the Government Center South, Conference Room A, Indianapolis, IN.

**Handouts**

The Minority and Women's Business Enterprises (MWBE) staff distributed several handouts to the commissioners prior to the start of the meeting.

**Roll Call**

Commission members present:

Adele Corya, Hygrade Excavating  
Angela Faulkner, Faulkner Strategies  
Tony Kirkland, Indiana Civil Rights Commission  
Martha Kenley for Karl Browning, Commissioner INDOT  
Carrie Henderson, Commissioner, Indiana Department of Administration  
Carolene Mays, Indiana State Representative  
Sarah Taylor  
Sylvia Trotter, Trotter Construction

Commission members absent:

Jean Breaux, Indiana State Senator  
Cleo Duncan, Indiana State Representative  
Marcia Duncan Bill Harmon, Harmon Construction  
Mike Madrid, Highway Safety  
Rae Pearson, Alpha Rae Personnel  
Lisa Spalding for Nate Feltman, Indiana Economic Development Corporation  
Gilbert Velez, G&M Training & Services, LLC

**Call to Order**

The meeting was called to order at 1:09 p.m. by Chairman Kirkland.

**Welcome**

Chairman Kirkland welcomed the Commission members and attendees and asked everyone to sign-in before leaving the meeting.

**Carrie Henderson**

Commissioner Henderson provided an overview of MWBE utilization reports based on contracts \$500,000 and above for the fiscal year starting July 1, 2007 through May 27, 2008. Commissioner Henderson went on to explain that contract compliance for large contracts is on a cycle of review, and compliance inquiries are reviewed upon receipt.

Commissioner Taylor asked if the amount reflected on the reports is an amount paid or contract commitment. Commissioner Henderson stated that the data reflects contract commitment. Commissioner Taylor asked when we will see actual payments on the reports. Commissioner Henderson agreed that contract commitment is very important and contract commitments are taken seriously. Commissioner Henderson went on to explain that we in fact have placed a sanction against a company that did not meet their contract commitment goals.

Commissioner Henderson asked members of the commission for approval on the current utilization report format. Commissioner Kirkland stated that there was plenty of detail in the report which provides the commission members an opportunity to review the numbers. Commissioner Taylor asked when there will be a column that addresses actual usage. Commissioner Henderson explained that an RFI for a web-based pay audit system had been released last week. Commissioner Kenley stated that the agencies are dependent on the accurate reporting of the sub-contractors and the contractors. Commissioner Taylor inquired if the State would ever make it a practice to pay the subcontractors directly rather than the prime contractors? Commissioner Henderson responded that accuracy in reporting may be the chosen approach as adding another layer would slow down the payment system.

Commissioner Kirkland gave a warm welcome to Jamal Smith as the new Senior Advisor for Minority Affairs. Commissioner Kirkland went on to announce his own new position as Executive Director of the Indiana Civil Rights Commission.

#### **Adoption of minutes**

Commissioner Kirkland asked for a motion to adopt the minutes. Angela Faulkner made a motion, which was seconded and approved.

#### **Disparity Study**

Tony Green, general counsel for the Indiana Department of Administration, provided background and reported on the scope of services for RFP 9-5 Consulting Services / Disparity Study. Mr. Green explained that there had been amendments to the statute regarding the Richmond v. Croson case, and inclusion of the seven educational institutes of higher learning, along with minor changes. The decision was made to move forward and conduct a disparity study and statistical analysis of utilization that will involve data for the period of July 1, 2006 through June 30, 2008. A meeting had also been held with Representative Crawford to solicit feedback about the RFPs' scope of work.

Commissioner Faulkner stated that it is difficult to qualify what is ready, willing and able and asked how you find that out? Commissioner Faulkner went on to ask about identifying those firms that are available but not certified. Mr. Green stated that referring to the Croson case has brought agreement and focus on what is required. However, Mr. Green went on to say that there is still some debate as to how best define ready, willing and able. He described two theories—registered base and the census approach—and the pros and cons to both approaches. Mr. Green stated that with a registered base approach to determining ready, willing and able that a survey may possibly be added. Mr. Green discussed the streamlining of the certification process and the efforts on the part of the department to provide information to those firms who might be interested in certification.

Commissioner Faulkner suggested that rolling out a marketing program prior to a survey would capture more of the willing and able. Mr. Green stated that the vendors were asked to include in the RFP what they think would best capture those firms that are ready, willing and able. Commissioner Henderson went on to state that we need to also look at the number of vendors that will be declared active in the denominator. Mr. Green commented that all of the vendors would be asked to include in the RFP if and where they have had their disparity study challenged.

Commissioner Mays asked the names of the seven Universities. Mr. Green listed Purdue University, Indiana University, Ivy Tech, Vincennes University, University of Southern Indiana, Indiana State, and Ball State University.

### **New Business**

The following reports were presented by the staff of the Minority and Women's Business Enterprises Division (see handouts):

- a. Deputy Commissioner's Report, Deputy Commissioner Alice Watson
- b. MBEC Report, Executive Director, Reppard Horne  
Commissioner Henderson noted that the goal of the MBEC is to provide consulting to its clients and help businesses build greater capacity and grow through partnership. Commissioner Faulkner commented on the impressive job number for MBEC, the need for an MBEC office located in the northern portion of the state and asked if there is a WBE equivalent. Commissioner Kirkland explained his role in bringing the Minority Business Enterprise Center to the State of Indiana and that he is not aware of a WBE equivalent. Commissioner Henderson stated the Ball State Tool Box and Matt Tuohy, Program Manager, Indiana Economic Development Corporation (IEDC) are great resources.
- c. Certification Report, Stacy Shew, Deputy Director of Certifications and Operations  
Commissioner Henderson clarified the number of UNSPSC codes per firm, stating that there is not a limit of codes when a company has expansive capabilities and capacity.
- d. Business Development Report, Natalee Summers, Deputy Director of Business Development  
Alice Watson stated that the department is focusing on standardized reporting, increased efficiency with a focus on the business development piece and the establishment of benchmarks that are measurable.
- d. Outreach Update, Elizabeth Lerch, Communications Manager, Department of Administration

### **Public Comments**

- Jesse Moore, Supplier Diversity Director for Purdue University, acknowledged the work that Tony Green, general counsel, IDOA, is doing with the disparity study. Mr. Moore went on to ask about distributing information on Purdue's third Construction Connection on the 25<sup>th</sup> of June, which is not only a networking event but will also provide an update on projects for the next 12 – 18 months. Moore also announced that he is searching for a supplier diversity specialist. Commissioner Faulkner asked if the projects were construction specific or were there other opportunities, such as professional services? Mr. Moore replied that there absolutely were other opportunities.

### **Adjournment**

Commissioner Kirkland moved that the meeting be adjourned at 2:33 p.m. The motion carried.

Respectfully submitted,

Stacy Shew  
Interim Commission Secretary